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S.A. 4

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July 29, 2005  
VIA HAND DELIVERY

RECEIVED

JUL 29 2005

PSC SC  
DOCKETING DEPT.

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Columbia, SC 29211

PAID  
7/29/05  
tod

Re: Docket No: 2005-110-W/S-Order No. 2005-210 *Petition of the Office of Regulatory Staff to Request Forfeiture of the Piney Grove Utilities, Inc. Bond and to Request Authority to Petition the Circuit Court for Appointment of a Receiver*  
CT&R No: 1529.001\Piney Grove - ORS

Dear Mr. Terreni:

Enclosed please find the original and eleven (11) copies of **Piney Grove Utilities, Inc.'s Supplemental Answer**, in regard to the above-referenced matter.

Please file the original and ten copies and return a clocked copy to me via my courier.

With kind regards, I am

Sincerely yours,

CALLISON TIGHE & ROBINSON, LLC

Louis H. Lang

LHL/cs

Enclosures

cc: Benjamin P. Mustian, Esq. (w/ encl.)  
Mr. D. Reece Williams, IV (w/ encl.)  
1529 001\Piney Grove - ORS\Clerk PSC 003

RETURN DATE: N/A  
SERVICE: Served DNEC 7/29/05  
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BEFORE THE PUBLIC SERVICE COMMISSION  
FOR THE STATE OF SOUTH CAROLINA

DOCKET NUMBER 2005-110-W/S-ORDER NO. 2005-210

In Re: Petition of the Office of Regulatory Staff to )  
Request Forfeiture of the Piney Grove )  
Utilities, Inc bond and to Request Authority )  
to Petition the Circuit Court for )  
Appointment of a Receiver )

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PINEY GROVE UTILITIES, INC.'S SUPPLEMENTAL  
ANSWER IN RESPONSE TO THE PETITION OF  
THE OFFICE OF REGULATORY STAFF

Piney Grove Utilities, Inc. (Piney Grove) hereby respectfully submits the following Supplemental Answer to the Petition of the Office of Regulatory Staff which requests forfeiture of the bond and authority to petition the Circuit Court for the appointment of a receiver. This Supplemental Answer is submitted pursuant to Rule 103-839, in that the hearing in the above matter is scheduled more than ten (10) days from the date of this Supplemental Answer.

**FOR A FIRST DEFENSE**

1. Each and every allegation of the Petition not hereinafter specifically admitted is denied.

**FOR A SECOND DEFENSE**

2. Paragraphs 1 and 2 of the Petition do not appear to require a response from Piney Grove. However, to the extent that they do require a response, and to the extent that these paragraphs seek to quote, paraphrase or characterize certain sections

of the South Carolina Code, Piney Grove would crave reference to those sections for their specific terms and import. To the extent that any allegation in these paragraphs remains unanswered, the same is denied, as Piney Grove lacks sufficient information or belief upon which to form an opinion as to their truth or falsity.

3. Paragraph 3 is admitted to the extent that it alleges that D. Reece Williams, IV, owns the outstanding shares of Piney Grove, and to the extent that it alleges that the undersigned is the Registered Agent for Service of Process for Piney Grove. To the extent that any allegation in this paragraph remains unanswered, the same is denied, as Piney Grove lacks sufficient information or belief upon which to form an opinion as to its truth or falsity.
4. Paragraphs 4 and 5 do not appear to require a response from Piney Grove. However, to the extent that they may require such a response, and to the extent that these paragraphs seek to quote, paraphrase or characterize certain portions of the South Carolina Code and/or other written documents or orders, Piney Grove would crave reference to those Code sections, documents or orders, for their specific terms and import. To the extent that any allegations in these paragraphs remain unanswered, the same are denied, as Piney Grove lacks sufficient information or belief upon which to form an opinion as to their truth or falsity.
5. To the extent that paragraph 6 seeks to quote, paraphrase, or characterize the NPDES permit, the Consent Order of Dismissal No. 04-007-W or the DHEC

Emergency Order 05-040-W, Piney Grove would crave reference to those documents for their specific terms and import. To the extent that any allegation in this paragraph remains unanswered, the same is denied as Piney Grove lacks sufficient information or belief upon which to form an opinion as to their truth or falsity.

6. Paragraph 7 is admitted.
7. Paragraphs 8, 9 and 10 are denied.
8. To the extent that paragraphs 11, 12 and 13 seek to quote, paraphrase or characterize certain sections of the South Carolina Code, Piney Grove would crave reference to those sections for their particular terms and import. To the extent that any allegations in these paragraphs remain unanswered, the same are denied, as Piney Grove lacks sufficient information or belief upon which to form an opinion as to their truth or falsity.
9. Paragraph 14 does not appear to require a response from Piney Grove. However, to the extent that paragraph 14 does require such a response, the same is denied, as Piney Grove lacks sufficient information or belief upon which to form an opinion as to its truth or falsity.


**FOR A THIRD DEFENSE**

10. Each and every allegation of this Answer is incorporated herein as if set forth verbatim.
11. The Petition has been rendered moot, in whole or in part, by way of that certain Consent Order entered on May 24, 2005, in the Court of Common Pleas for the

Eleventh Judicial Circuit, in the case captioned *South Carolina Department of Health and Environmental Control v. Piney Grove Utilities, Inc.*, Case No. 2005-CP-32-1319 (Lloydwood Order), and that certain Consent Order entered on July 29, 2005, in the in Court of Common Pleas for the Fifth Judicial Circuit, in the case captioned *South Carolina Department of Health and Environmental Control v. Piney Grove Utilities, Inc.*, Case No. 2005-CP-40-3716 (Franklin and Albene Park Order). In the Lloydwood Order, Piney Grove agreed to the appointment of a receiver for its Lloydwood Facility. No receiver has been appointed as yet, however, the Office of Regulatory Staff is negotiating with the City of Cayce in regard to it taking over the Lloydwood Facility. In addition, Piney Grove has offered to give the Lloydwood Facility to the City of Cayce. In regard to the Franklin and Albene Park Order, Piney Grove agreed that Richland County act as temporary receiver for both these facilities. Prior to the entry of the Franklin and Albene Park Order, Piney Grove had offered to give both these systems to Richland County.

Wherefore, having fully answered the Petition herein, Piney Grove would respectfully request that the Petition be dismissed, and that the Commission grant Piney Grove such other and further relief as the Commission may deem just and proper.

CALLISON TIGHE & ROBINSON, LLC

  
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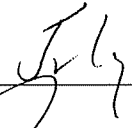
Attorneys for Piney Grove Utilities, Inc.

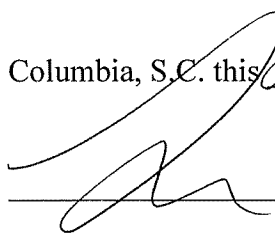
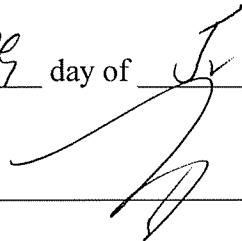
Columbia, South Carolina  
July 29, 2005  
1529.001\Piney Grove - ORS\Response to Petition

**CERTIFICATE OF MAILING**

I hereby certify that I have mailed a copy of the above and foregoing to counsel of record in said proceedings to his/her office address with sufficient postage attached.

Benjamin P. Mustian, Esq.  
Office of Regulatory Staff  
1441 Main Street, Suite 300  
Post Office Box 11263  
Columbia, SC 29211

Columbia, S.C. this  day of , 2005.

  
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